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May 4, 2022

Via ECF

Hon. Pamela K. Chen, U.S.D.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

**Re: Plaintiff's Letter Detailing Proposed Next Steps in Pending Action
Stidhum v. 161-10 Hillside Auto Ave, LLC, No. 21-cv-07163 (PKC) (RLM),
(E.D.N.Y.)**

Your Honor,

We represent the Plaintiff in the above-referenced matter. We write respectfully and in accordance to the Court's text-only order dated April 28, 2022 which incorporates the Court's April 1, 2022 order directing Plaintiff to "notify the Court by filing a letter on the docket" "within seven (7) days of the Second Circuit issuing a decision in [*Stidhum v. 161-10 Hillside Auto Ave., LLC*, No. 21-01653 (2d Cir.) ("*Stidhum I*")]." (04/01/2022 Docket Order.) The Second Circuit issued its decision on April 12, 2022. *Stidhum I*, Dkt. 9." We sincerely apologize for the delay related to the present filing.

Emanuel Kataev filed the Waiver of Service on behalf of all Defendants on March 29, 2022 and the date for Defendants to answer or otherwise move to dismiss the Complaint is May 28, 2022. Previously, Kataev has filed a Motion to Dismiss on the basis of the invalidity early right to sue letter in *Stidhum I*, and the Order Granting the Dismissal without prejudice with leave to reopen has been vacated by the Second Circuit.

Accordingly, we respectfully request that an Initial Pre-Trial Conference be set at your Honor's earliest convenience so a scheduling order setting forth the deadlines for discovery may be set.

We thank the Court for its attention to and consideration of this matter.

Hon. Pamela K. Chen, U.S.D.J.

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Respectfully submitted,

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/s/ John Troy

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cc: via ECF

all counsel of record

/mh